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APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/760,147	01/12/2001		Daniel A. Babbs	ASYS8102US0MEM	2364
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Mark E. Mill			EXAMINER		
O'Melveny & Embarcadero (Center W		KEENAN, JAMES W		
275 Battery Street San Francisco, CA 94111-3305				ART UNIT	PAPER NUMBER
ĺ				3652	

DATE MAILED: 01/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.									
## Examiner ## Jarmes Keenan ## Jarmes	, (Application No.	Applicant(s)						
James Keenan Jos52		09/760,147	BABBS ET AL.	BABBS ET AL.					
The MAILING DATE of this communication app ars on the cover shift with this correspond no address Peri d for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Exercision of the rine high a serialism under the provisions of 3 CPR 1.13(a). In a over, however, may a reply be limitely filled to the provision of the provisi	Offic Action Summary	Examiner	Art Unit						
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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Exercision of them may be available under the provisions of 3 CPR 1.35(a), in ne event, however, may a reply be limitly filed Exercision of them may be available under the provisions of 3 CPR 1.35(a), in ne event, however, may a reply be limitly filed Exercision of the spin specified above is likes than thirty (30) days, a neply within the statutory prinded may be available, to consider a statutory prinded may are visible under the mailing date of this communication. Final printed for reply specified above is likes than thirty (30) days, a neply within the statutory prinded may are visible under the mailing date of this communication, even if thirty filed, may wind or days of the communication, even if thirty filed, may wind or days ownered patent term adjustment. See 37 CFR 1.30(b). Status 1) Responsive to communication(s) filed on 18 November 2002 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-8 and 10-14 is/are pending in the application. 4a) Of the above claim(s) 12-14 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 5) Claim(s) is/are allowed. 6) Claim(s) 1-8 10 and 11 is/are rejected. 7) Claim(s) is/are allowed. 8) Claim(s) is/are allowed. 9) The specification is objected to by the Examiner. 4Applicant may not request that any objection to the drawing(s) be held in aboyance. See 37 CFR 1.85(a). 11) The proposed drawing ser required in reply to this Office action. 12) The oath or declaration is objected to make a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All by Some c) None of: 1. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified	·	ars on the cover sh t	with th correspond nc address						
. If NO period for reply is pacefied above, the maximum stabladry period will apply and will septe SIX (6) MONTHS from the mailing date of this communication. Failuse to received by the Office later than insert months after the mailing date of this communication, even if timely flind, may reduce any Status 1) Responsive to communication(s) filed on 18 November 2002. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-8 and 10-14 is/are pending in the application. 4a) Of the above claim(s) 12-14 is/are withdrawn from consideration. 5) Claim(s) 1-8 and 10-14 is/are rejected. 7) Claim(s) is/are allowed. 6) Claim(s) 1-8 nd 11 is/are rejected. 7) Claim(s) is/are objected to. 8) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Cartified copies of the priority documents have been received in Application No. 3. See the attached detailed Office action for a list of the certified copies not received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional ap	A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.	6(a). In no event, however, may	a reply be timely filed	V					
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1. Claims 12-14 remain withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Election was made without traverse in Paper No. 10.

- 2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
- 3. Claims 2-5, 8, and 10-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 2, the recitation that the workpieces are stored "in a substantially vertical orientation" is unclear in that the workpieces have not been set forth as having any particular shape or structure.

In claims 3-5, the recitation that the number of stockers may be "varied between one and ..." is indefinite because claim 1, from which these claims depend, requires "at least two stockers".

In claim 8, line 4, the recitation of "the reticles" lacks antecedent basis.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Iwai et al (US 5,829,939).

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In figure 24 note load port assembly 210 which separates door 214 and shell 212 of container 209 to provide access to workpieces 205 supported by cassette 211 in the container, stockers 320, 324 which store the workpieces after having been removed from the container, and transfer mechanism 322 which transfers the workpieces between the container and the stockers.

5. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwai et al in view of Iizuka (US 4,999,671, previously cited).

Iwai et al do not show that the number of stockers could be varied. Iizuka shows a workpiece management system comprising an inherent load port, transfer mechanism 50, and stockers 2 which are portable. Iizuka discloses that a "suitable number" of stockers may be used. This is considered to be within the range specified. It would have been obvious for one of ordinary skill in the art at the time of the invention to have modified the apparatus of Iwai et al by utilizing varying numbers of stockers, as suggested by Iizuka, as this would allow greater flexibility in workflow management.

Re claims 6-7, since the stockers of Iizuka are portable they clearly could be stored remotely and used for bulk transport of workpieces away from the system. The inclusion of this feature within the modified apparatus of Iwai et al would be a design expediency.

6. Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwai et al in view of Iwasawa et al (US 4,867,629, previously cited).

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Iwai et al do not store the workpieces in a vertical orientation. Iwasawa et al show a similar workpiece management system including a stocker wherein workpieces are stored in a vertical orientation. It would have been obvious for one of ordinary skill in the art at the time of the invention to have modified the apparatus of Iwai et al by storing workpieces in a vertical orientation, as shown by Iwasawa et al, as this would simply be an alternate equivalent means of storing workpieces.

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Re claim 8, although Iwai et al show a fan 282 and filter 285, this is not part of the stocker. Furthermore, the stockers are not coaxial annular carousels rotatable about a central shaft and having radially oriented slots for storing the workpieces. Iwasawa et al show the stocker to comprise annular carousels rotatable about a central shaft 70 and having a plurality of radially oriented compartments 92 having openings for airflow circulated from a fan filter unit 182, 188. It would have been obvious for one of ordinary skill in the art at the time of the invention to have modified the apparatus of Iwai et al by constructing the stockers with rotatable annular carousels with radially oriented slots exposed to filtered air, as shown by Iwasawa et al, as this would allow a greater number of workpieces to be stocked in a clean, dustfree manner.

It is also noted that although Iwai et al and Iizuka both show the workpieces to be wafers rather than reticles, both references disclose that other similar types of workpieces may be substituted. As reticles are well known in the art and similar in size and shape to wafers, the substitution thereof is considered an obvious design expediency, especially since no explicit structural limitations regarding the reticles has been set forth.

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7. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwai et

al in view of Iwasawa et al, as applied to claim 8 above, and further in view of Iizuka.

To have further modified the apparatus of Iwai et al such that the stockers could be stored

remotely and used for bulk transport of workpieces away from the system, as suggested by Iizuka,

would have been obvious for the same reason set forth above in paragraph 5.

8. The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

9. Applicant's arguments with respect to claims 1-8 and 10-11 have been considered but are

moot in view of the new ground(s) of rejection.

However, it is noted that applicant's comments in general are not commensurate in scope

with the claims, which do not require individual workpieces (reticles) to be handled or stored, and

thus do not preclude the workpieces from remaining in cassettes.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office

action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is

reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR

1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

will the statutory period for reply expire later than SIX MONTHS from the date of this final

action.

11. Any inquiry concerning this communication or earlier communications from the examiner

should be directed to James Keenan whose telephone number is (703) 308-2559.

The fax phone number for the organization where this application is assigned is 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 308-1113.

jwk

January 17, 2003

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